

General Scheme of a Bill entitled An Act to amend the Constitution.

To provide that

WHEREAS by virtue of Article 46 of the Constitution any provision of the Constitution may be amended in the manner provided by that Article:

AND WHEREAS it is proposed to amend Article 29 of the Constitution:

HEAD 1.Amendment of Article 29 of the Constitution

To provide that

1. Article 29 of the Constitution is hereby amended as follows:
 - (a) by the insertion of the subsection, the text of which is set out in *Part 1* of the *Schedule*, shall be inserted after subsection 10° of section 4 of the Irish text,
 - (b) by the insertion of the subsection, the text of which is set out in *Part 2* of the *Schedule*, shall be inserted after subsection 10° of section 4 of the English text.

Explanatory note: Article 29 of the Constitution provides for international relations. The Agreement on the Unified Patent Court is an international agreement originally signed by 25 EU Member States (now 24 following the withdrawal of the UK from the European Union) and it provides a single legal process for patent protection in those States.

HEAD 2: Citation

To provide that

2. (1) The amendment of the Constitution effected by this Act shall be called the ??

Amendment of the Constitution.

(2) This Act may be cited as the XX Amendment of the Constitution (Unified

Patent Court) Act 2023.

Explanatory Note

This is a standard legislative provision providing for the citation of the Act.

SCHEDULE

Part 1

11. Tig leis an Stát an Comhaontú ar an [UPC], a sínigheadh i [Brussels] an 19ú lá d’Fheabhra, 2013, a dhaingniú. Ní dhéanann aon fhoráil atá sa Bhunreacht seo dlíthe a d’achtaigh, gníomhartha a rinne nó bearta a ghlac an Stát de bhíthin riachtanais na n-oibleagáidí atá ar an Stát faoin gComhaontú sin a neamhbhailí ná cosc a chur ar dhlíthe a d’achtaigh, gníomhartha a rinne nó bearta a ghlac comhlachtaí atá inniúil faoin gComhaontú sin ó fheidhm dlí a bheith acu sa Stát.

Part 2

11. The State may ratify the Agreement on a Unified Patent Court signed at Brussels on the 19th day of February 2013. No provision of this Constitution invalidates laws enacted, acts done or measures adopted by the State that are necessitated by the obligations of the State under that Agreement or prevents laws enacted, acts done or measures adopted by bodies competent under that Agreement from having the force of law in the State.